

American

NEWS & VIEWS

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President Obama, Secretary Clinton Honor Memory of Cuban Human Rights Leader

By MacKenzie C. Babb | Staff Writer

Washington — President Obama and Secretary of State Hillary Rodham Clinton expressed their condolences on the death of Cuban human rights activist Laura Pollán.

“Cuba has lost one of its most important voices of conscience,” State Department spokeswoman Victoria Nuland said in an October 15 statement. Pollán was “a courageous human rights defender who fought valiantly on behalf of political prisoners in Cuba.”

Pollán founded the Ladies in White, a group of women relatives of Cuban human rights activists arrested in a 2003 government crackdown known as the “Black Spring.” The women responded to the arrests by holding weekly protest marches in which they dressed in all white and carried flowers through the streets of Havana. The group captured significant international attention and was awarded the Sakharov Prize for freedom of thought by the European Parliament in 2005 and the State Department’s 2010 Human Rights Defenders Award.

Even after the last of their family members was released in 2011, the women continued to march each Sunday for the freedom of Cuba’s remaining political prisoners. On October 16, the group held a special march to honor Pollán, who died in a Havana hospital two days earlier at the age of 63. She was accompanied at the hospital by her husband, Hector Maseda, and other former political prisoners. Maseda, a human rights activist and nuclear engineer, was released in February after eight years in prison.

“Pollán and the quiet dignity of the Ladies in White have courageously voiced the core desire of the Cuban people and of people everywhere to live in liberty,” White House press secretary Jay Carney said in a statement October 15. “Through their brave actions, the Ladies in White drew attention to the plight of those who are unjustly held in Cuba’s prisons and pushed Cuban authorities to release those political prisoners wrongly jailed in the spring of 2003.”

Nuland said Pollán will be “remembered with gratitude” by hundreds of former political prisoners who have been freed thanks to her and the Ladies in White. “Through them, and all who work for a democratic future in Cuba, her legacy will endure,” the spokeswoman said.

Carney said the United States has long worked with the Cuban people in support of their desire to freely determine their future. He said the Obama administration will continue that work “in Pollán’s memory.”

New Patent Law Could Speed Up U.S. Innovation

Washington — Under U.S. law, many items, processes, machines and chemical compositions can be patented. They range from the manufacturing process for the arthritis drug Celebrex, to the Segway PT, a two-wheeled self-balancing vehicle, to the gene for human growth hormone. By giving inventors and innovators the exclusive rights to their creations for a certain time, patents spur innovation.

The U.S. economy is driven to a large degree by innovation; therefore patents are essential to job creation.

However, many innovative businesses complained for years that the U.S. patent system had become inadequate and inefficient and needed reform. In September 2011, U.S. legislators approved the first major overhaul of patent law in nearly 60 years. Both sponsors of the bipartisan bill known as the America Invents Act — Democratic Senator Patrick Leahy and Republican Representative Lamar Smith — said it removes many barriers to innovation and helps U.S. inventors maintain the competitive edge in the global economy.

President Obama, who signed the bill into law the same month, said, “This much-needed reform will speed up the patent process so that innovators and entrepreneurs can turn a new invention into a business as quickly as possible.”

CLOGGED PATENT SYSTEM

The U.S. Patent and Trademark Office, which grants patents, acknowledged a backlog of 700,000 applications and an average decision wait time of close to three years. In 2010, the office issued 244,358 patents. As the number of patent applications almost tripled over the past decade, the office has not kept up.

Another problem was identified by Michael Meurer and James Bessen, intellectual property scholars at Boston University. In their 2009 book *Patent Failure: How Judges, Bureaucrats, and Lawyers Put Innovators at Risk*, they concluded that the patent system failed to clearly convey who owns the idea and what its boundaries are, creating potential for competing claims and litigation.

This weakness has been explored by a new breed of companies known by some as “patent trolls,” which acquire patent rights with the intention to demand licensing fees or litigate rather than commercialize the patented invention. The companies have created problems for innovative industries, particularly in the high-tech industry, in which vague boundaries of software and computer patents have allowed for overly broad interpretations by the courts.

Many experts believe that recent acquisitions of high-tech companies with large patent portfolios by industry giants such as Google Inc. and Microsoft Corporation were defensive moves against potential litigation. Before Google acquired mobile phone manufacturer Motorola Mobility in September, Google's chief legal officer, David Drummond, had said in an August blog post that unbridled patent claims and licensing fees amounted to an attack on his company's successful Android operating system. Motorola Mobility holds 17,000 patents. Maurer told *Corporate Counsel*, a law magazine, that "the patent system is imposing bigger costs to the innovators than it's returning to them in terms of benefits."

WILL NEW LAW WORK?

The new patent law is intended to accelerate the patent process, increase patent quality and reduce litigation. The law includes these major provisions:

- Granting patents to the first person to submit an application to the Patent Office ("first to file") rather than to the first person who came up with the invention, as was the case under the old system. The first-to-file approach brings the United States in line with patent laws in other major countries, increasing the ability of American inventors to protect their intellectual property rights abroad, according to officials.
- Setting up new procedures to review issued patents.
- Offering entrepreneurs new ways to avoid litigation regarding patent validity, at significantly lower costs.
- Allowing startup companies to get fast-track consideration of their patent applications, with a decision guaranteed in a year.
- Giving the Patent Office authority to hire more examiners, update its computer system and open more offices across the country.

Many large companies in various industries and major universities have welcomed the America Invents Act. "This legislation clarifies and simplifies the process by which many of the most promising ideas arising in academia are transferred to the marketplace," Stephen Forrest, vice president for research at the University of Michigan, told the *News-Herald*, an Ohio newspaper.

But some individual inventors and startups have criticized the first-to-file approach as giving big companies an unfair advantage in obtaining patents. Defending patent rights is often beyond the means of most such inventors and small companies and can lead them to financial ruin, according to James Dyson, the British inventor of the bagless vacuum cleaner.

Senator Leahy told KCRW Radio that Congress had tried to find a compromise between the interests of big and small companies. And Jonathan Baker, a patent lawyer

with law firm Skadden Arps, who appeared on the same program, said large companies rarely file patent suits against individual inventors. He said the new law encourages innovative patents while reducing the risk of the patent system protecting questionable ones.

Commerce Award Recognizes Efforts to Improve U.S. Trade Relations

Washington — Eight individuals and organizations will receive the International Trade Administration's inaugural Peace through Commerce Medal Award, U.S. Under Secretary of Commerce for International Trade Francisco Sánchez announced October 17.

The 2011 Peace through Commerce Medal Award recipients are:

- The China Council for the Promotion of International Trade, Beijing.
- Fred Irwin, president of the American Chamber of Commerce in Germany and vice chairman of Citigroup, Global Markets Deutschland AG, Frankfurt, Germany.
- Frederick Lam, executive director of the Hong Kong Trade Development Council, Hong Kong.
- The International Franchise Association, Washington.
- Jerry Levine, president of Mentor International, San Francisco.
- Kiran Pasricha of the Confederation of Indian Industry, Arlington, Virginia.
- Pete Peterson, president of Peterson International Inc., Victoria, Australia.
- Putera Sampoerna, founder of Sampoerna Foundation, Jakarta, Indonesia.

The Peace through Commerce Medal dates back to the first U.S. secretary of state, Thomas Jefferson, who commissioned it in 1790. Jefferson awarded the medal, formerly known as the Diplomatic Medal, to diplomats from other countries who aided the Continental Congress during the American Revolution. The medal carries the inscription "To Peace and Commerce."

The award, reintroduced by Sánchez, recognizes an individual, group or organization, either domestic or abroad, whose actions have significantly promoted and developed U.S. export initiatives, encouraged innovative approaches and improved overall U.S. trade relations.

"The Peace through Commerce Medal winners have all played a crucial and proactive role in increasing trade and strengthening our countries' overall relations. They also assist us in fully exercising President Obama's National Export Initiative," Sánchez said. "Their efforts have led to increased exports of U.S. manufactured goods and services, thus creating jobs at home and stimulating the economy."

President Obama's National Export Initiative seeks to double U.S. exports over 2009 levels by the end of 2014.

"Working with individuals and organizations like those we honor today, who understand the value of strong commercial relations through trade, will help advance the opportunities and economy for all of our countries," Sanchez said.

The winners will receive their medals at a November 30 ceremony.

Clean Water Leads to Safe Births

By Kathryn McConnell | Staff Writer

Washington — When malaria strikes during pregnancy, it can cause severe anemia in the mother, a low-birth-weight baby and the likelihood of impaired child development in the baby's future. In Tanzania, health care workers are preventing such outcomes by stopping malaria.

As part of her early morning routine at the Mnazi Mmoja Health Center in Dar-es-Salaam, Tanzania, nurse Rehema John drops chlorine tablets into water that will be distributed to dozens of pregnant women throughout the day. The health care center stores inside its two antenatal-care examination rooms 20-liter buckets of the purified water, from which care workers dip to serve the women, using clean cups.

John and the other nurses at the health center follow a prenatal-care protocol recommended by the World Health Organization (WHO) for areas where malaria occurs year-round. The protocol calls for preventive treatment: Pregnant women have at least two doses of the anti-malaria drug sulphadoxine pyrimethamine, taken with clean water under the observation of trained health workers. The first dose is given during the second trimester, the second dose in the third trimester.

"Antenatal care is so important to ensure a healthy and safe pregnancy and delivery," said Blami Dao, a physician with a nonprofit organization called Jhpiego that does work on maternal care in developing countries. During antenatal care at the health center, pregnant women "receive malaria prevention services and HIV counseling and testing where appropriate to ensure their unborn child is protected," he said.

An affiliate of Johns Hopkins University in Baltimore, Jhpiego trained the nurses through the U.S. Agency for International Development's Mothers and Infants, Safe, Healthy and Alive program in collaboration with the Tanzanian government.

Secretary of State Hillary Rodham Clinton has

highlighted the importance of improving maternal and child care around the world, stressing that the 1,000 days from the beginning of pregnancy until a child reaches age 2 are critical for establishing good health and productivity. In 2010, she co-hosted an event in New York with Ireland's minister for foreign affairs, Micheál Martin, to call attention to the issue.

When a woman comes to Mnazi Mmoja for her first pregnancy, she may not know she will be required to take the medicine at the facility, John said. Some women bring water to the health center, while "some may not have enough money to buy bottled drinking water. By giving them water here, we are certain they are not taking just any water," she said.

Later in the day, nurse Gertrude Mollel poured a glass of the clean water for 28-year-old expectant mother Angelina Kitomali from Mtoni kwa Azizi Ali, about 15 kilometers from Dar-es-Salaam. The patient popped two of the anti-malaria pills into her mouth with the water. "Providing water at the clinic is an excellent idea and makes it very convenient to mothers," Kitomali said. "I am comfortable, as the water is clean and is treated to kill germs and other contaminants."

"It is also during antenatal care that women are counseled about birth preparedness and complications readiness," Dao said. He said he encourages members of the community to support pregnant women, because if a pregnant woman shows signs of complications, someone should be available to transport her to a health facility.

Since 2005, the rate of pregnant women taking a first dose of preventive malaria treatment during prenatal care has risen from 53 percent to 60 percent, according to a Tanzanian government survey. The increase suggests that more women are being protected from this potentially fatal disease.

Jhpiego is a member of the WHO's Global Health Workforce Alliance, a partnership of national governments, civil society, international agencies, finance institutions, researchers, educators and professional associations working to train more health care workers.

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